



15m 1713

LU 6144

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: <b>Shahram Mihan et al.</b>	)	
	)	
Serial Number: <b>10/539,242</b>	)	Group Art Unit: <b>1713</b>
	)	
Filed: <b>June 16, 2005</b>	)	Examiner: <b>Caixia Lu</b>
	)	
For: <b>MONOCYCLOPENTADIENYL</b>	)	
<b>COMPLEXES</b>	)	
	)	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 6, 2007

**RESPONSE TO RESTRICTION REQUIREMENT**

This is in response to the restriction requirement under 35 U.S.C. 121 and 372, dated May 9, 2007, for which a one-month period for response was set.

Claims 1-13 are pending in this application. The Office Action has set forth a requirement for restriction of the prosecution of this application to the following Groups of claims:

- I. Claims 1-11, drawn to a metallocene complex, a catalyst composition thereof and a polymerization process thereby; or
- II. Claim 12, drawn to a process of making an anion of formula (VII); or
- III. Claim 13, drawn to a process of making a cyclopentadiene compound of formula (VIIa).

Applicants hereby provisionally elect Group I, claims 1-11 with traverse.

The Examiner contends that the inventions listed in Groups I-III do not relate to a single general inventive concept under PCT 13.1, because under PCT Rule 13.2 they lack the same or corresponding special technical features. However, Applicants respectfully submit that little additional search effort is required to perform a search for all Groups.

The Examiner has also required the election of a single species of various monocyclopentadienyl complexes represented by Formulas (IIIa) and (IIIb). The Examiner contends that these species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

Applicants provisionally elect (2-(1-indenylmethyl)-1-methyl-imidazole)chromium dichloride represented by formula (IIIb). Claims readable on the elected species include claims 1-11. Applicants traverse the species election requirement since Applicants respectfully submit that little additional search effort is required to perform a search for all species.

For the above reasons, the Examiner is respectfully requested to reconsider and withdraw the restriction and election of species requirement.

This is intended to be a complete response to the Office Action dated May 9, 2007. The Applicants invite the Examiner to direct any questions or comments to the undersigned at the telephone number given below. An early and favorable action on the merits is solicited.



No payment is believed to be due; however, the Commissioner is hereby authorized to charge U.S. PTO deposit account 08-2336 any payment due and to credit any overpayment thereto.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 6, 2007.

June 6 2007

Date of Signature